

Notice of Allowability

Application No.

09/990,171

Examiner

Irakli Kiknadze

Applicant(s)

NASSER-GHODSI ET AL.

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Interview Summary dated May 27, 2004.
2. ☒ The allowed claim(s) is/are 1-41.
3. ☒ The drawings filed on 21 November 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

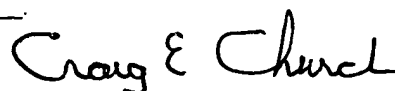
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 12/16/02; 01/20/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 05252004.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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Craig E. Church
Primary Examiner

DETAILED ACTION

1. In response to the Office action dated December 20, 2003 the Amendment has been received on March 15, 2004.

Claims 1, 11, 24 and 37 have been amended.

Claims 1-41 are currently pending in this application.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Gogfrey K. Kwan (Reg. No. 46,850) on May 27, 2004.

The application has been amended as follows:

In the specification: paragraph [0001], line 2 and paragraph [0054], line 9 " U.S. Patent Application No. ____ " should read -- U.S. Patent Application No. 09/990170 --.

In claim 1:

Line 7, after "emission inducer" insert -- on an electrically isolated stage to obtain generated current information --.

Art Unit: 2882

Line 10, after “control measurement “ insert -- to obtain comparison information used with generated current information --.

In claim 11:

Line 5, “ the x-ray emission inducer ” should read -- an x-ray emission inducer on an electrically isolated stage to obtain generated current information --.

Line 7, “ obtain information “ should read -- obtain comparison information used with generated current information --.

In claim 24:

Line 3, after “ isolated stage “ insert -- to obtain generated current information --.

Line 4, “ the x-ray emission inducer “ should read -- an x-ray emission inducer --.

Line 9, “ obtain information “ should read -- obtain comparison information used with generated current information --.

In claim 37:

Line 3, after “ isolated stage “ insert -- to obtain generated current information --.

Line 4, “ the x-ray emission inducer “ should read -- an x-ray emission inducer --.

Line 9, “ obtain information “ should read -- obtain comparison information used with generated current information --.

Allowable Subject Matter

4. Claims 1-41 are allowed.

5. The following is an examiner’s statement of reasons for allowance:

Art Unit: 2882

Claims 1-10 are allowed because prior art fails to teach or make obvious an apparatus for characterizing a void in a sample comprising comparing an x-ray measurement to a control measurement to obtain comparison information used with generated current information obtained by a current detection system configured to measure generated current caused by an x-ray emission inducer on an electrically isolated stage as claimed.

Claims 11-23 are allowed because prior art fails to teach or make obvious a system for characterizing voids associated with a sample comprising a processor coupled with memory configured comparing a first measurement of induced x-ray emissions to a control measurement to obtain comparison information used with generated current information obtained by a current detection system configured to measure generated current caused by an x-ray emission inducer on an electrically isolated stage as claimed.

Claims 24-36 are allowed because prior art fails to teach or make obvious a method for characterizing a void in a sample comprising comparing a first measurement of induced x-ray emissions to a control measurement to obtain comparison information used with generated current information obtained by a current detection system configured to measure generated current caused by an x-ray emission inducer on an electrically isolated stage as claimed.

Claims 37-41 are allowed because prior art fails to teach or make obvious an apparatus for characterizing a void in a sample comprising comparing a first measurement of induced x-ray emissions to a control measurement to obtain

Art Unit: 2882

comparison information used with generated current information obtained by a current detection system configured to measure generated current caused by an x-ray emission inducer on an electrically isolated stage as claimed

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Agano (US Patent 6,469,312 B2) teaches current detection unit reading out image information from solid-state radiation detector.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Irakli Kiknadze whose telephone number is 571-272-2493. The examiner can normally be reached on 9:00- 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Glick can be reached on 571-272-2490. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2882

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Irakli Kiknadze
May 27, 2004

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Craig E Church

Craig E. Church
Primary Examiner